

United States Bankruptcy Court Western District of Pennsylvania

Notice Regarding Fees for Filing Motions to Lift Stay under Item 20 and for Adversary Proceedings under Item 6 of the Miscellaneous Fee Schedule for Bankruptcy Courts

At its September 2004 session, the Judicial Conference, upon recommendation from the Committee on Court Administration and Case Management (CACM), approved an increase in the fee for filing a civil action under 28 U.S.C. §1914(a) from \$150 to \$250. Two fees contained in the bankruptcy miscellaneous fee schedule (28 U.S.C. §1930), which was effective June 1, 2004, are linked to the civil filing fee. One, the fee for filing a motion to lift the automatic stay (Item 20), was amended by the Conference (at the Court Administration and Case Management Committee's recommendation), deleting the language linking the fee to the amount required for filing a civil action under §1914 and retaining the amount for filing a motion to lift stay fee at \$150. Accordingly, the amount of the fee for filing a lift stay or other motions under Item 20 will not change.

The second miscellaneous fee linked to the civil filing fee (Item 6), which sets forth the fee for filing an adversary proceeding, was not considered by the CACM Committee. As the CACM Committee did not specifically consider whether to raise the fee in accordance with the civil filing fee increase or whether substantive reasons exist to delete the reference to the civil action fee, the Executive Committee of the Judicial Conference has determined to defer the increase temporarily until the September 2005 Judicial Conference. Thus, the amount required to file an adversary proceeding will remain at \$150 for the time being.

A revised fee schedule effective January 1, 2005 is located on the Court's Website at <http://www.pawb.uscourts.gov/faq.htm> under the topic "What are the bankruptcy fees for filing a document?"